

APPEAL NO. 041742
FILED SEPTEMBER 8, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 17, 2004. The hearing officer determined that the appellant's (claimant) date of injury is _____; that the claimant did not sustain a compensable injury in the form of an occupational disease; and that the claimant did not have disability. The claimant appealed the injury and disability determinations on sufficiency of the evidence grounds. The appeal file does not contain a response from the respondent (carrier). The hearing officer's determination regarding the date of injury has not been appealed and has become final. Section 410.169.

DECISION

Affirmed.

We have reviewed the complained-of determinations and conclude that the compensability and disability issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **FEDERATED MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**RUSS LARSEN
860 AIRPORT FREEWAY WEST, SUITE 500
HURST, TEXAS 75054-3286.**

Daniel R. Barry
Appeals Judge

CONCUR:

Margaret L. Turner
Appeals Judge

Edward Vilano
Appeals Judge